

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REGINALD D. WILSON,)
Plaintiff,)
v.)
ST. LOUIS CITY CRIMINAL)
JUSTICE CENTER,)
Defendant.)
No. 4:17-CV-1807-SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to proceed in forma pauperis. Plaintiff, a prisoner, has filed at least three previous cases that were dismissed as frivolous, malicious, or for failure to state a claim.¹ Under 28 U.S.C. § 1915(g), therefore, the Court may not grant the motion unless plaintiff "is under imminent danger of serious physical injury."

After carefully reviewing the complaint, the Court finds no non-conclusory allegations that show plaintiff is in imminent danger of serious physical injury. As a result, the Court will deny the motion and dismiss this action without prejudice to refiling as a fully-paid complaint.

Even if plaintiff were not subject to 28 U.S.C. § 1915(g), this action would be subject to dismissal because it is legally frivolous. Plaintiff names the St. Louis City Justice Center as defendant. However, a department or subdivision of local government is not a “juridical,” or suable, entity under 42 U.S.C. § 1983. *Ketchum v. City of West Memphis, AR.*, 974 F.2d 81, 82 (8th Cir. 1992); *see also Ballard v. Missouri*, Case No. 4:13-CV-528-JAR, (E.D. Mo. Apr. 22, 2013) (dismissing as legally frivolous plaintiff’s claims against the City of St. Louis Department

¹ See *Wilson v. City of St. Louis*, Case No. 4:07-CV-854 (E.D. Mo. Jun. 25, 2007); *Wilson v. Wilson*, Case No. 4:09-CV-160-MLM (E.D. Mo. Feb. 18, 2009); *Wilson v. Hallazzgo*, Case No. 4:09-CV-1346-TCM (E.D. Mo. Sept. 4, 2009); *Wilson v. State of Mo.*, Case No. 4:11-CV-1014-AGF (E.D. Mo. Jul. 19, 2011).

of Public Safety, the St. Louis County Justice Center, the City of St. Louis Justice Center, and MSI/Workhouse because those defendants were not suable entities); *see also Wallace v. St. Louis City Justice Center*, Case No. 4:12-CV-2291-JAR, (E.D. Mo. Jul. 17, 2013) (dismissing claims against the St. Louis City Justice Center because it is not a suable entity).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed in forma pauperis (Docket No. 2) is **DENIED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

Dated this 26th day of September, 2017.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE